

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

MARK HASTY and BIOTRONIK, INC.,	:	
	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 7:06-cv-102 (HL)
	:	
ST. JUDE MEDICAL S.C. INC.,	:	
	:	
	:	
Defendant.	:	
	:	

ORDER

Before the Court is Plaintiffs' Emergency Motion to Enjoin Defendant From Pursuing Second-Filed Action in Minnesota (Doc. 10). This matter came before the Court for oral argument on November 22, 2006. Shortly before argument was scheduled to begin, the Court learned the parties were also scheduled to argue a nearly identical motion, filed in a related case¹ in the United States District Court for the Northern District of Georgia, before the Honorable William S. Duffey, Jr., later that day.

To facilitate a prompt resolution of this matter and in the interest of judicial

¹Mark Hasty, a former St. Jude sales representative, and Biotronik filed this case on October 11, 2006 seeking a declaratory judgment that the restrictive covenants in Hasty's employment contract with St. Jude are invalid and unenforceable. Stephen V. Rode, another former St. Jude sales representative, and Biotronik also filed an action in the Northern District, Stephen V. Rode and Biotronik, Inc., v. St. Jude Medical S.C. Inc., 1:06-cv-2448-WSD, seeking a declaratory judgment that the restrictive covenants in Rode's identical employment contract are also invalid and unenforceable.

economy, all parties agreed to adopt Judge Duffey's ruling on this matter in the Northern District case. Accordingly, for the reasons set forth by Judge Duffey in the attached Order, Plaintiffs' Emergency Motion to Enjoin Defendant From Pursuing Second-Filed Action in Minnesota (Doc. 10) is denied.

SO ORDERED, this the 5th day of December, 2006.

/s/ Hugh Lawson
HUGH LAWSON, Judge

scs